

105975

**Request  
For  
Continued Examination (RCE)  
Transmittal**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	08/963,368
Filing Date	November 3, 1997
First Named Inventor	Nolan
Group Art Unit	1644
Examiner Name	Vander Vegt, F.
Attorney Docket Number	A-64260-2/RMS/AMS

RECEIVED

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d)(PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

a.  Previously submitted

- Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered.)
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

b.  Enclosed

- Copy of Petition for Extension of Time (3 mo )
- Copy of Check in the amount of \$420.00
- Copy of Amendment and Response
- Supplemental Information Disclosure Statement (IDS)
- PTO-1449 form
- Communication

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

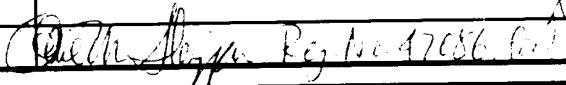
a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1300 (order no. A-64260-2/RMS/AMS )

- RCE fee required under 37 C.F.R. § 1.17(e)
- Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- Other any additional fees charge to Deposit Account No. 06-1300 (Order No. A-64260-2/RMS/AMS)

b.  Check in the amount of \$ \_\_\_\_\_ 10/03/2001 SDENB0B1 00000002 061300 08963368

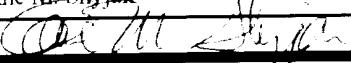
c.  Payment by credit card (Form PTO-2038 enclosed) 01 FC:179 740.00 CH

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print Type)	Robin M. Silva	Registration No. 38,304 (Attorney/Agent)	
Signature		Date	September 27, 2001

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	Anne M. Shyjan		
Signature		Date	September 27, 2001



PATENT  
Attorney Docket No.: A-64260-2/RMSAMS  
OCT 04 2001

RECEIVED  
OCT 04 2001  
PATENT  
CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ) Examiner: VANDER VEGT, R  
NOLAN ) Group Art Unit: 1644  
Serial No. 08/963,368 )  
Filed: November 3, 1997 )  
For: METHODS FOR SCREENING )  
FOR TRANSDOMINANT INTRA- )  
CELLULAR EFFECTOR PEPTIDES )  
AND RNA MOLECULES )

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, BOX RCE, Washington, DC 20231 on:

Dated: September 27, 2001  
Signed: Anne M. Shyjan  
Anne M. Shyjan

COMMUNICATION

Assistant Commissioner  
for Patents  
**BOX RCE**  
Washington, DC 20231

Sir:

This is to accompany the filing of a response and a Request for Continued Examination. Earlier today, Applicant filed a Response and Amendment, a Petition for a three month extension of time and a check for \$420 to cover the fee for the extension of time. Applicant inadvertently omitted the accompanying Supplemental IDS and Request

Serial No.: 08/963,368  
Filed: November 3, 1997

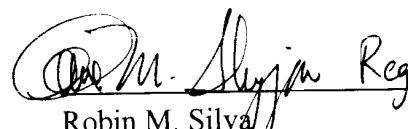
for Continued Examination. The present enclosures include the omitted documents, as well as a copy of the Petition and check filed earlier today.

The Commissioner is authorized to charge the required fee for filing a Request for Continued Examination for a small entity and any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-64260-2/RMS/AMS).

Applicant apologizes for any confusion due to the prior omission and respectfully requests acceptance of the enclosed documents.

Respectfully submitted,

FLEHR HOHBACH TEST  
ALBRITTON & HERBERT LLP

 *Robin M. Silva Reg. No. 47,086 for  
Reg. No. 38,304*  
Robin M. Silva  
Reg. No. 38,304

Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989

NOV. 7 2001 11:48PM

FLEHR HOHBACH TEST

NO. 0935 E. 2

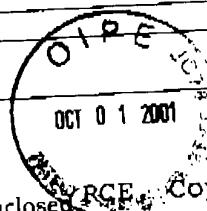
Flehr Hohbach Test 08/963,368 (A-64260-2/RMS/  
Albritton & Herbert LLP File No. \_\_\_\_\_ AMS)  
Applicant: Nolan

Serial No. 08/963,368  
For:

Sir:  
Please acknowledge receipt of the enclosed RCE, Copy of Petition,  
copy of check, Amendment, IDS, PTO-1449, Communic'n

by imprinting the Patent Office "date stamp" hereon and returning  
to the addressee indicated on the reverse.

Due: September 27, 2001 Certificate  
of Mailing: September 27,  
2001



FLEHR HOHBACH TEST ALBRITTON AND HERBERT LLP

COMMISSIONER OF PATENTS

Invoice Date	Invoice No.	Matter ID
9/27/2001	RMS	64260-002-A

37770

9/27/2001

Invoice	
	445.00

COPY

445.00

Check Total

37770

UNION BANK OF CALIFORNIA  
400 California Street  
San Francisco, CA 94104  
11-491210

Four Hundred Forty-Five & No/100 Dollars

DATE

9/27/2001

AMOUNT

445.00

PAY  
TO THE  
ORDER  
OF  
COMMISSIONER OF PATENTS

Peter M. Malin  
11-491210

AUTHORIZED SIGNATURES

RECEIVED

TECH CENTER

RECEIVED

THE REVERSE SIDE OF THIS DOCUMENT INCLUDES AN ARTIFICIAL WATERMARK - HOLD AT AN ANGLE TO VIEW